

In The Court Of Appeal Of The State Of California 90
Sixth Appellate District
San Jose, California

MONDAY, MAY 20, 2002

H020851 PEOPLE v. BRANDL

H023045 PEOPLE v. BRANDL

The judgment is reversed and the matter is remanded for resentencing (not published)
(Bamattre-Manoukian, Acting P.J.; We concur: Mihara, J., Rushing, J.)

Filed May 20, 2002

H023560 PEOPLE v. CONTRERAS

The judgment is affirmed. (not published)
(Wunderlich, J.; We concur: Premo, Acting P.J., Elia, J.)

Filed May 20, 2002

H023517 PEOPLE v. QUIROZ

The judgment is affirmed. (not published)
(Wunderlich, J.; We concur: Premo, Acting P.J., Elia, J.)

Filed May 20, 2002

H021999 HEWLETT-PACKARD COMPANY v. CORPORATE IMAGING NETWORKS, INC.

The judgment is affirmed. (not published)
(Premo, Acting P.J.; We concur: Elia, J., Wunderlich, J.)

Filed May 20, 2002

TUESDAY, MAY 21, 2002

The Court met in its courtroom at 333 West Santa Clara Street, Suite 1060, San Jose, California. Present: Premo, Acting P.J.; Elia, J.; Mihara, J.; and Beth Miller, Deputy Clerk.

H023013 DE ROSA v. MIGDAL

Cause called and argued by John Franklin Morken appearing for Appellant and by Anthony Boskovich appearing for Respondent. Cause ordered submitted. Mihara, J. leaves the bench and Wunderlich, J. takes the bench to hear the following matter.

H021339 ARRELOA, et al. v. MONTEREY COUNTY, et al.

Cause called and argued by Mark Alan Wasser, Gary M. Lepper and Lucille Y. Baca appearing for Appellants and by James P. Bennett and Randy W. Gimple appearing for Respondents. Cause ordered submitted. Court recesses.

In The Court Of Appeal Of The State Of California 91
Sixth Appellate District
San Jose, California

Tuesday, May 21, 2002 (continued)

The Court reconvened at 1:30 p.m. in its courtroom at 333 West Santa Clara Street, Suite 1060, San Jose, California. Present: Premo, Acting P.J.; Elia, J.; Wunderlich, J.; and W. Magsaysay, Deputy Clerk.

H021917 PEOPLE v. LOPEZ

Cause called and argued by Lark L. Ritson appearing for Appellant and by Seth K. Schalit, Deputy Attorney General, appearing for Respondent. Cause ordered submitted.

H022421 WHEALTON v. ALLEN

Cause called and argued by Thomas J. Butters appearing for Appellant and by Jill A. Fordyce appearing for Respondent. Cause ordered submitted.

H022682 SANTA CLARA COUNTY TRANSIT DISTRICT v. ARRILAGA, et al.

Cause called and argued by Norman E. Matteoni appearing for Appellants and by Kevin D. Allmand appearing for Respondent. Cause ordered submitted.

H022834 SANTA CLARA VALLEY TRANSPORTATION AUTHORITY v. AMALGAMATED TRANSIT UNION, DIVISION NO. 265

Cause called and argued by Richard Alan Katzman appearing for Appellant and by William J. Flynn appearing for Respondent. Cause ordered submitted. Court adjourns.

H023968 IN RE ALEJANDRO E., A MINOR

The order of the juvenile court is affirmed. (not published)
(Premo, Acting P.J.; We concur: Elia, J., Wunderlich, J.)
Filed May 21, 2002

H022398 PEOPLE v. YEPEZ

The judgment is affirmed. (not published)
(Elia, J.; We concur: Premo, Acting P.J., Wunderlich, J.)
Filed May 21, 2002

H023140 PEOPLE v. CABANISS

The judgment is affirmed. (not published)
(Wunderlich, J.; We concur: Premo, Acting P.J., Elia, J.)
Filed May 21, 2002

In The Court Of Appeal Of The State Of California 92
Sixth Appellate District
San Jose, California

Tuesday, May 21, 2002 (continued)

H024225 SHAY G. v. SUPERIOR COURT OF SANTA CRUZ COUNTY; SANTA CRUZ COUNTY HUMAN RESOURCES AGENCY

The petition for extraordinary writ is denied. (not published)

(Elia, J.; We concur: Premo, Acting P.J., Wunderlich, J.)
Filed May 21, 2002

H021985 PEOPLE v. DELEON

The judgment is reversed and the matter is remanded for resentencing. (not published)

(Bamattre-Manoukian, Acting P.J.; We concur: Mihara, J., Rushing, J.)

Filed May 21, 2002

H023056 DFCS v. KIMBERLY I.

The judgment terminating parental rights is affirmed. (not published)

(Bamattre-Manoukian, Acting P.J.; We concur: Mihara, J., Rushing, J.)

Filed May 21, 2002

H020616 PEOPLE v. NELSON

By the Court*:

Appellant's petition for rehearing is denied.

Filed: May 21, 2002

*Before Premo, Acting P.J., Elia, J. and Wunderlich, J.

H020980 PEOPLE v. ARGUE

H022842 IN RE ARGUE ON HABEAS CORPUS

By the Court*:

Appellant's petition for rehearing is denied.

Filed: May 21, 2002

*Before Premo, Acting P.J., Elia, J. and Mihara, J.

H021768 CITY OF GONZALES v. CITY OF SOLEDAD

The judgment is affirmed. (not published)

(Bamattre-Manoukian, Acting P.J.; We concur: Wunderlich, J., Rushing, J.)

Filed May 21, 2002

In The Court Of Appeal Of The State Of California 93
Sixth Appellate District
San Jose, California

Tuesday, May 21, 2002 (continued)

H023075 DFCS v. KIMBERLY I.

The court's order filed April 26, 2001, dismissing the dependency, granting custody to the father, and ordering supervised visitation for the mother is affirmed. (not published) (Bamattre-Manoukian, Acting P.J.; We concur: Mihara, J., Rushing, J.)

Filed May 21, 2002

WEDNESDAY, MAY 22, 2002

H022379 PEOPLE v. MONDRAGON

The judgment is affirmed. (not published)
(Elia, J.; We concur: Premo, Acting P.J., Wunderlich, J.)

Filed May 22, 2002

H023426 PEOPLE v. DAVIS

The judgment is affirmed. (not published)
(Rushing, J.; We concur: Bamattre-Manoukian, Acting P.J., Mihara, J.)

Filed May 22, 2002

H022046 CENTURY INDEMNITY COMPANY, et al. v. HEARREAN, et al.

The judgment is affirmed. Costs on appeal to Hearrean and State Wide. (published)

(Wunderlich, J.; We concur: Premo, Acting P.J., Elia, J.)

Filed May 22, 2002

H023253 PEOPLE v. NAI S.

The dispositional order is affirmed. (not published)
(Rushing, J.; We concur: Bamattre-Manoukian, Acting P.J., Mihara, J.)

Filed May 22, 2002

In The Court Of Appeal Of The State Of California 94
Sixth Appellate District
San Jose, California

Wednesday, May 22, 2002 (continued)

H021249 TUCKER v. OTT

We reverse the judgment, and we remand the matter to the trial court. On remand, the trial court is instructed to enter a new and different judgment. The new judgment shall: (1) Declare that the Estate of Patricia Louise Ott is not entitled to any portion of Joel Dan Ott's Teamsters' pension; (2) Declare that the Buena Vista residence is community property; (3) Declare that the Estate of Patricia Louise Ott is entitled to reimbursement of a separate property contribution to the Buena Vista residence in the amount of \$12,000; and (4) Declare that the \$95,000 promissory note is community property. Each party to bear its own costs on appeal. (not published)
(Wunderlich, J.; We concur: Bamattre-Manoukian, Acting P.J., O'Farrell, J.*)
Filed May 22, 2002
*Judge of the Monterey Superior Court assigned by the Chief Justice pursuant to article VI, section 6 of the California Constitution.

H021861 PEOPLE v. TRAN

The judgment is affirmed. (not published)
(Mihara, J.; I concur: Bamattre-Manoukian, Acting P.J.; dissenting opinion by Rushing, J.)
Filed May 22, 2002

THURSDAY, MAY 23, 2002

The Court met in its courtroom at 333 West Santa Clara Street, Suite 1060, San Jose, California. Present: Premo, Acting P.J.; Elia, J.; Wunderlich, J.; and R.W. Norvelle, Deputy Clerk.

H022145 PEOPLE v. LOPEZ

Cause called and argued by Irma Castillo appearing for Appellant and by Dorian Jung, Deputy Attorney General, appearing for Respondent. Cause ordered submitted.

H023225 PEOPLE v. PHILLIP C., a minor

Cause called and argued by Peter F. Goldscheider appearing for Appellant and by Dorian Jung, Deputy Attorney General, appearing for Respondent. Cause ordered submitted.

In The Court Of Appeal Of The State Of California 95
Sixth Appellate District
San Jose, California

Thursday, May 23, 2002 (continued)

H022812 PEOPLE v. SCOTT

Cause called and argued by John Staley appearing for Appellant and by Dorian Jung, Deputy Attorney General, appearing for Respondent. Cause ordered submitted.

H021781 PEOPLE v. SUEZ

Cause called and argued by Lori Quick appearing for Appellant and by Amy Haddix, Deputy Attorney General, appearing for Respondent. Cause ordered submitted.

H022493 LIN, et al. v. LAW, et al.

Cause called and argued by Thomas M. Boehm appearing for Appellants and by William J. Casey appearing for Respondents. Cause ordered submitted.

H022458 JOVEL v. JOVEL; BAYVIEW FEDERAL SAVINGS & LOAN ASSOCIATION, et al.

Cause called and argued by Robert J. Fulton appearing for Appellant and by Christopher J. Donnelly appearing for Respondents. Cause ordered submitted. Court stands in recess.

The Court reconvened at 1:30 p.m. in its courtroom at 333 West Santa Clara Street, Suite 1060, San Jose, California. Present: Premo, Acting P.J.; Elia, J.; Wunderlich, J.; and S. Nasson, Deputy Clerk.

H018246 PEOPLE v. CARIS, et al.

Cause called and argued by Richard Ingram and by Joseph Shevelson appearing for Appellants and by Sharon Wooden, Deputy Attorney General, appearing for Respondent. Cause ordered submitted.

H021567 PEOPLE v. BAILEY

Cause called and argued by Kathleen Novoa appearing for Appellant and by Mark Howell, Deputy Attorney General, appearing for Respondent. Cause ordered submitted.

H022472 ELGAWAY v. WATKIN-JOHNSON COMPANY

Cause called and argued by Arthur Levy appearing for Appellant and by Alexander Brainerd appearing for Respondent. Cause ordered submitted. Court adjourns.

In The Court Of Appeal Of The State Of California 96
Sixth Appellate District
San Jose, California

Thursday, May 23, 2002 (continued)

H022424 PEOPLE v. RIVERA

The judgment is affirmed. (not published)
(Premo, Acting P.J.; We concur: Elia, J., Wunderlich, J.)
Filed May 23, 2002

H024147 EVE F. v. SUPERIOR COURT; HUMAN RESOURCES AGENCY OF
SANTA CRUZ COUNTY

The petition for extraordinary writ is denied. (not
published)
(Rushing, J.; We concur: Bamattre-Manoukian, Acting P.J., Mihara,
J.)
Filed May 23, 2002

H022228 PEOPLE v. TRAVASSO

The appeal is dismissed. (not published)
(Mihara, J.; We concur: Bamattre-Manoukian, Acting P.J., Rushing,
J.)
Filed May 23, 2002

FRIDAY, MAY 24, 2002

H021894 PEOPLE v. VARGAS

The judgment is modified to reflect concurrent sentences on
counts seven and nine. The clerk of the superior court shall
amend the abstract of judgment accordingly and forward a copy to
the Department of Corrections. As so modified, the judgment is
affirmed. (not published)
(Elia, J.; We concur: Premo, Acting P.J., Wunderlich, J.)
Filed May 24, 2002

H022043 PEOPLE v. REYES

The judgment is affirmed. (not published)
(Mihara, J.; We concur: Bamattre-Manoukian, Acting P.J., Rushing,
J.)
Filed May 24, 2002

In The Court Of Appeal Of The State Of California 97
Sixth Appellate District
San Jose, California

Friday, May 24, 2002 (continued)

H021496 PEOPLE v. ROMAN

The judgment is affirmed. (not published)
(Mihara, J.; We concur: Bamattre-Manoukian, Acting P.J., Rushing,
J.)
Filed May 24, 2002

H022365 CITY OF SARATOGA v. WEST VALLEY-MISSION COMMUNITY
COLLEGE DISTRICT, et al.

The judgment is reversed. The superior court is directed to
vacate its orders granting the District's summary adjudication
motion and denying the City's motion for judgment on its writ
petition and directed to enter new orders granting the City's
summary adjudication motion and granting the City's motion for
judgment on its writ petition. The City shall recover its costs
on appeal. (not published)
(Mihara, J.; I concur: Wunderlich, J.; concurring opinions by
Elia, Acting P.J. and Mihara, J.)
Filed May 24, 2002

H023557 IN RE JOHNNY E., A MINOR

The jurisdictional and dispositional orders are affirmed.
(not published)
(Wunderlich, J.; We concur: Premo, Acting P.J., Elia, J.)
Filed May 24, 2002

H020883 PEOPLE v. LOWERY

The judgment is affirmed. (not published)
(Wunderlich, J.; We concur: Bamattre-Manoukian, Acting P.J.,
O'Farrell, J.*)
Filed May 24, 2002

*Judge of the Monterey Superior Court assigned by the Chief
Justice pursuant to article VI, section 6 of the California
Constitution.